



Docket No. END5011USNP

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants : Hal H. Katz Confirmation No: 5088  
Serial No. : 10/791,959 Art Unit: 3763  
Filed : March 3, 2004 Examiner: Christopher Koharski  
For : PATIENT MONITORING AND DRUG DELIVERY SYSTEM AND  
METHOD OF USE

I hereby certify that this correspondence is being deposited with the  
United States Postal Service as first class mail in an envelope addressed  
to: Commissioner For Patents, PO Box 1450, Alexandria, VA 22313-1450 on

Aug 2006  
(Date of Deposit)

Linda F. Hansen  
(Name of applicant, person signing, assignee, or Registered Representative)

(Signature)

Aug 2006  
(Date of Signature)

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Dear Sir:

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98,  
information relating to the above-identified application is hereby disclosed. Inclusion of  
information in this statement is not to be construed as an admission that this information is  
material as that term is defined in 37 C.F.R. §1.56(b).

Applicant(s) reserve(s) the right to establish the patentability of the claimed invention  
over any of the information provided herewith, and/or to prove that this information may not be

prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

☐ In accordance with §1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified national application (other than a continued prosecution application under §1.53(d)), within three months of the date of entry into the national stage of the above identified application as set forth in §1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of a request for continued examination under §1.114, no additional fee is required.

☐ In accordance with §1.129(a), this Information Disclosure Statement is being filed in connection with ☐ the first or ☐ second After Final Submission, therefore:

☐ Statement in Accordance with §1.97(e) (attached); or

☐ Please charge Deposit Account No. 10-0750/ / the fee of \$180.00 as set forth in §1.17(p).

☒ In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, or an action that otherwise closes prosecution and that it is accompanied by one of:

☒ Statement in Accordance with §1.97(e) (attached); or

☐ Please charge Deposit Account No. 10-0750/END5011USNP/VEK the fee of \$180.00 as set forth in §1.17(p).

☐ In accordance with §1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311 but before the payment of the Issue Fee. Applicant(s) hereby petition(s) for

consideration of this Information Disclosure Statement. Included are: Statement in Accordance with §1.97(e) as set forth below and the fee of \$180.00 as set forth in §1.17(p).

☒ Copies of only foreign patent documents and non-patent literature are enclosed in accordance with 37 CFR 1.98 (a)(2).

☐ Copies of references listed on the attached Form PTO-1449 are enclosed herewith EXCEPT THAT:

☐ In view of the voluminous nature of references [list as appropriate], and the likelihood that these references are available to the Examiner, copies are not enclosed herewith.

☐ If any of the foregoing publications are not available to the Examiner, Applicant will endeavor to supply copies at the Examiner's request.

☒ There are no listed references which are not in the English language.

☐ The relevance of those listed references which are not in the English language is as follows:

☒ Attached are copies of search report(s) from corresponding patent application(s), which are listed on the attached Submission Under MPEP 609 D.

Copies of the references listed on the search report(s) are included except for those previously cited in an IDS mailed

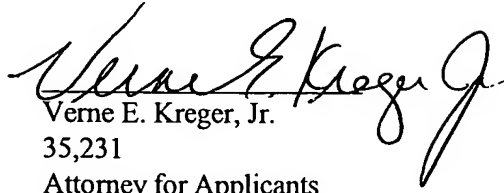
☐ Attached are the following non-published pending patent applications which may be deemed relevant, which are listed on the attached Submission Under MPEP 609 D.

Please charge any deficiency or credit any overpayment to Deposit Account No. 10-0750/END5011USNP/VEK.

10/791,959

IDS

Respectfully submitted,

  
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35,231  
Attorney for Applicants

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One Johnson & Johnson Plaza  
New Brunswick, NJ 08933-7003  
(513) 337-3295  
DATED: Aug 2, 2006



PTO/SB/08A (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 1 of 1

|                               |                      |
|-------------------------------|----------------------|
| <b>Application Number</b>     | 10/791,959           |
| <b>Filing Date</b>            | March 3, 2004        |
| <b>First Named Inventor</b>   | Hal H. Katz et al.   |
| <b>Group Art Unit</b>         | 3763                 |
| <b>Examiner Name</b>          | Christopher Koharski |
| <b>Attorney Docket Number</b> | END5011USNP          |

**U.S. PATENT DOCUMENTS**

| Examiner<br>Initials | Cite<br>No. <sup>1</sup> | U.S. Patent Document |                                      | Name of Patentee or Applicant<br>of Cited Document | Date of Publication<br>of Cited Document<br>mm-dd-yyyy | Pages, Columns, Lines,<br>where relevant passages or<br>relevant figures appear |
|----------------------|--------------------------|----------------------|--------------------------------------|--|--|---|
|                      |                          | Number               | Kind Code <sup>2</sup><br>(if known) |  |  |   |
|                      |                          | 5,957,885            | A                                    | Bollich et al.                                     | 9/28/99  | ALL   |
|                      |                          | 5,980,501            | A                                    | Gary   | 11/09/1999   | ALL   |

**FOREIGN PATENT DOCUMENTS**

| Examiner<br>Initials | Cite<br>No. <sup>1</sup> | Foreign Patent Document |                     |                        | Name of Patentee or<br>Applicant of Cited Document | Date of Publication<br>of Cited Document<br>mm-dd-yyyy | Pages, Columns, Lines,<br>where relevant<br>passages or relevant<br>figures appear | T <sup>6</sup> |
|----------------------|--------------------------|-------------------------|---------------------|------------------------|--|--|--|----------------|
|                      |                          | Office <sup>3</sup>     | Number <sup>4</sup> | Kind Code <sup>5</sup> |  |  |  |                |
|                      |                          | WO                      | 99/62403            | A1                     | Scott Laboratories Inc.                            | 12/9/1999  | ALL  |                |

|                       |  |                    |  |
|-----------------------|--|--------------------|--|
| Examiner<br>Signature |  | Date<br>Considered |  |
|-----------------------|--|--------------------|--|

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U. S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS, SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

|                               |                      |
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| <i>Group Art Unit</i>         | 3763                 |
| <i>Examiner Name</i>          | Christopher Koharski |
| <i>Attorney Docket Number</i> | END5011USNP          |



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## PATENTS

### UNITED STATES PATENT AND TRADEMARK OFFICE

|                     |   |                   |                      |
|---------------------|---|-------------------|----------------------|
| <b>Application:</b> | 10/791,959  | <b>Examiner:</b>  | Christopher Koharski |
| <b>Filed:</b>       | 03/03/2004  | <b>Art Unit:</b>  | 3763                 |
| <b>Inventor:</b>    | Hal H. Katz   | <b>Atty Ref.:</b> | END5011USNP          |
| <b>Title:</b>       | PATIENT MONITORING AND DRUG DELIVERY SYSTEM AND METHOD OF USE |                   |                      |

### TRANSMITTAL

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Enclosed for filing are the following papers for the above-referenced patent application:


1. IDS, Form 1449, MPEP 609(d), International Search Report
2. Copies of non-US patent cited art
3. Self-addressed postage prepaid return receipt postcard.

The fee has been calculated as shown below:

|  | Number of<br>Claims | Highest<br>Previous<br>Paid For | Extra<br>Claims | Rate      | Fee<br>(Dollars) |
|--|---------------------|---------------------------------|-----------------|-----------|------------------|
| Total Claims                               |                     |                                 | 0               | x \$50 =  | 0                |
| Independent Claims                         |                     |                                 | 0               | x \$200 = | 0                |
| If multiple dependent claims, add \$130.00 |                     |                                 |                 |           | n/a              |
| <b>TOTAL FEE DUE</b>                       |                     |                                 |                 |           |                  |

The Commissioner is hereby authorized to charge payment of any fees associated with this communication or credit any overpayment to Deposit Account No. 10-0750/END5011USNP/VEK, including any fees under 37 C.F.R. §§ 1.16, 1.17 and 1.18.


Respectfully submitted,

  
Verne E. Kreger, Jr. (Reg. No. 35,231)  
Attorney For Applicant(s)

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I hereby certify that this correspondence of is being sent via U.S. Postal Service to the US Patent and Trademark Office, PO Box 1450, Alexandria, VA 22313 on

August 3 2006

  
Verne E. Kreger, Jr.





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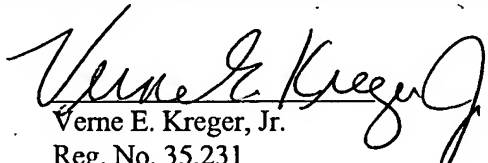
Commissioner for Patents  
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Alexandria, VA 22313-1450

**STATEMENT UNDER 37 C.F.R. §1.97(e)**

In accordance with 37 C.F.R. §1.97(e), certification is hereby made that:

☒ Each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement; or

☐ No item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this Information Disclosure Statement, was known to any individual designated in §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

  
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(513) 337-3295  
DATED: August 2, 2006